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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/595,765	06/16/2000	Joseph M. Ranish	03998-437001	1157

7590 07/31/2002

Patent Counsel  
Applied Materials Inc  
Legal Affairs Department  
PO Box 450A  
Santa Clara, CA 95052

EXAMINER

TRUONG, BAO Q

ART UNIT

PAPER NUMBER

2875

DATE MAILED: 07/31/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/595,765

Applicant(s)

RANISH, JOSEPH M.

Examiner

Bao Q. Truong

Art Unit

2875

-- **Th MAILING DATE of this communication appears on the cover sheet with the correspondenc addr ss --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on Amendment on 21 June 2002.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6, 9-12 and 15-18 is/are rejected.
- 7) ☒ Claim(s) 7, 8, 13, 14, 19 and 20 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)                      4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)                      5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 8.                      6) ☐ Other:

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "a monolithic member" in claim 1 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.
2. The reference number 202 being assigned for a monolithic lamphead-reflector (specification page 9 lines 17-18) on FIG.\_1 and FIG.\_2 is objected to because the reference number 202 points to two different structures.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application

Art Unit: 2875

being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 1-6, 9-12 and 15-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Bahl [US 6,072,160].

Regarding claims 1, 9 and 15, Bahl discloses a process chamber as a radiant energy assembly [38] including a light pipe [41] with its wall [152] as a monolithic member, a plurality of lamp receptacles [39, 58] associated with reflectors [159], a substrate [81] and supports [82, 83] (figures 1 and 2, column 4, lines 48-67, column 5, lines 5-60).

Regarding claims 2, 10 and 16, Bahl discloses a plurality of coolant passages [47, 48] (figure 1, column 5, lines 23-27).

Regarding claim 3, Bahl discloses brass, aluminum and other metal (column 5, line 13).

Regarding claims 4, 5, 11 and 17, Bahl discloses gold reflectors [159] (column 5, line 48).

Regarding claims 6, 12 and 18, Bahl discloses lead wires [163] and a lamp base [54] (figure 2, column 5, lines 53-60).

***Allowable Subject Matter***

5. Claims 7-8, 13-14 and 19-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter of claims 7, 13 and 19: the lampholder of the monolithic lamphead having a ferrofluid surrounding the outer leads of a lamp and one or more magnets disposing about the lampholder and maintaining the position of the ferrofluid near the receptacles of the lampholder. The limitations discussed above are neither disclosed nor taught by the prior art of records.

Claim 8 is depended on claim 7.

Claim 14 is depended on claim 13.

Claim 20 is depended on claim 19.

***Response to Arguments***

6. Applicant's arguments filed 21 June 2002 have been fully considered but they are not persuasive.

The applicant recites in claim 1 that the lamp receptacles and the reflector cavities are formed in a monolithic member. Then the applicant argued that the light pipes [41] in Bahl themselves are not formed in a monolithic member. Rather, they are each secured to walls 42 and 43.

Bahl shows a plurality light pipe [41] with its wall [152] having a receptacle to receive a bulb [161, 162] and a reflector [159] with a reflecting face [160] being coated inside the wall [152] (figure 2, column 5, lines 29-52).

Furthermore, there is no patent weight for changing in form or shape. See *\_Span-Deck Inc. v. Fab-Con, Inc.* (CA 8, 1982) 215 USPQ 835 and MPEP 2144.04 Changes in shape, *In re Dailey*, 357 F.2d 669, 149 USPQ 47 (CCPA 1966).

### ***Conclusion***

3. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bao Q. Truong whose telephone number is (703) 308-6452. The examiner can normally be reached on Monday-Friday (8:30 AM - 5:00 PM).

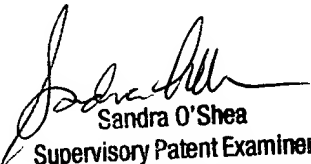
Art Unit: 2875

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra L. O'Shea can be reached on (703) 305-4939. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7725 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Bao Q. Truong  
Examiner  
Art Unit 2875

BQT  
July 26, 2002

  
Sandra O'Shea  
Supervisory Patent Examiner  
Technology Center 2800